

**HAMPTON BOARD OF SELECTMEN  
EXETER SELECTMEN'S MEETING ROOM  
April 18, 2005 7:00 PM**

**PRESENT:** James A. Workman, Chairman, Cliff Pratt, Vice Chairman  
Rick Griffin, Ben Moore, Virginia Bridle-Russell  
James Barrington, Town Manager  
Karen Anderson, Administrative Assistant  
  
Mark Gearreald, Town Attorney  
William Wrenn, Chief of Police

The Board of Selectmen met with the Exeter Board of Selectmen to discuss the future of the District Courts within the Town's of Hampton and Exeter. The Exeter Selectmen that were present were Joseph Pace, Chairman Lionel Ingram, Paul Binette, and Robert Eastman. Also present were Exeter Town Manager Russell Dean and Richard Kane, Exeter Chief of Police.

Chairman Ingram opened the meeting and introduced those present and noted the presence of Exeter's delegation to the State: Representative Douglas Scamman, Representative Stella Scamman, Representative Carl Robertson, Representative April Mason, Representative Rogers Johnson, and Senator Maggie Hassan.

Mr. Barrington outlined the current status of the district courts and noted that for a number of years Hampton and Exeter have had separate district courts and have liked it. Both of the district court buildings have fallen into a state of disrepair and the State is taking action on relocating those courts. A few years ago the State decided in order to economize they were going to consolidate the two courts into one location and there was considerable concern from both towns on the location of that court. The State decided to have a two year "cooling off" period and are now working on the establishment of two separate courts or determining if the courts should be combined. These two communities have some vested interest in this, although clearly there will be other communities that have an interest in hosting the courts as well.

Chief Wrenn emphasized that it is more than just Hampton and Exeter; it is two districts that encompass 14 other towns. He said that it is important to keep in mind that there are communities on the outskirts that have to utilize the courts. It is his opinion that two courts have worked very well and it was the consensus of all the chiefs that the two courts should remain separate, recognizing the travel and overtime costs involved.

Mr. Barrington explained that in the early 1990's a bill was put forth to consolidate the Hampton and Exeter District Courts with the possibility to purchase the former County building, which was not done. This bill has been on the books since then and both districts have been afraid that the State would want to build that court in a location that would not be convenient for either Hampton or Exeter. This is a good opportunity for the towns to come up with some ideas to present to the State.

Chief Kane said that he does not know what action the State expects during this two-year window. He told the Boards that he has put the State in touch with contractors, shown them buildings, and showed them some land options that are available in Exeter and has not received much reaction. One of the major questions is what is expected from the towns and who is going to build the proposed building. Mr. Dean noted that the legislation is written so that if nothing is done by the deadline of July 1, 2006 the two districts will fail to exist and there will be one Exeter/Hampton District Court.

Mr. Pace said that the first question is to know if Hampton and Exeter want to maintain two separate districts. If the Boards agree on that basic premise that is the starting point. Mr. Barrington said that he does not believe that either town is determined that the court must remain in their town, but both towns want to insure that it is convenient for the town. If the State had built the court in Exeter 15 years ago at the former County building, both towns would have been happy. Mr. Barrington said that in looking at it from the State's perspective a combined court is lower overhead with a single staff. Mr. Barrington stated that it

would be wonderful to have a Hampton district court, but if another location is convenient, Hampton would be satisfied. He suggested that if the State were to put a court building in the location where Hampton and Exeter meet, or near the four corner location with the towns of North Hampton and Stratham that would be ideal, if both towns are willing to have one consolidated court. If the Boards of Selectmen insist on two district courts, it will cost more money and likely the local towns will have to assist with the financial costs. Seabrook has already offered the land to construct a court building but the location does not make sense for a consolidated court. Mr. Ingram said that there are a lot more costs than the State costs. He said that he is concerned that the State may try to play one community against another and that is not the kind of politics he wants to play. Mr. Pace said that he wants to know the objectives of the towns. Is it convenience for the towns? Mr. Griffin said that he does not know why the towns would want two courts and his suggestion was that the location should be a visible location. He was in favor of the location on Route 101 near the juncture of the two towns.

Chief Wrenn said that location is important to him and pointed out that last year the chiefs were looking at the number of cases in each district court and if they were to be combined it would become the 3<sup>rd</sup> or 4<sup>th</sup> largest court in the state. Other than having one building, he does not think there would be much savings on labor due to the work load. Mr. Moore said that it is up to the State to adequately staff the court. If it were larger and better staffed it could reduce the amount of time that the officers were in court. Chief Wrenn explained the overtime costs that will be involved if the officers have to travel out of town. Chief Kane said that if the court is close to the Exeter town line, there won't be an overtime issue, but if they have to travel 20 minutes or more then the shift has to be covered. He said that if the court ends up in Seabrook, he will be in financial trouble. Mr. Binette asked if Hampton has looked to see if the State owns any land in Hampton on Route 101, because they do own some in Exeter. Mr. Barrington said that there is an individual that has expressed some interest in building a court in Hampton, just off Route 111, across from the Stratham Industrial Park. There is good transportation from all directions at that location.

Mr. Pratt pointed out that the State has some land near the Park & Ride on Exeter Road. Mr. Pratt expressed concerns with the number of cases at the district court during the summer. Chief Wrenn said that during the summer they can bring up to 20-30 cases for arraignment on a given day. Mr. Pace said that if we decide we want them separate and two years go by with no decisions, the State could say the court is in Seabrook. He recommended that if the two towns agree on consolidation, they need to work together on a mutually agreeable location that both towns and the State can live with. Attorney Gearreald said that he looked at several temporary sites in Hampton and each place was rejected for various reasons by the State. He feels that it is unlikely that the State would accept an existing building and intends to build a court building similar to what was built in Dover. Attorney Gearreald said that he asked the State if they were expecting the town to pay for the court building and the answer was no.

Representative Carl Robertson told the group that he attended the meeting in Brentwood last year and understood that the conditions warranted two separate courts in order to best serve the people of the communities, not necessarily the police departments. He said he is surprised to hear the two Boards of Selectmen and Police Chief's speaking about a joint court.

Representative April Hersey Mason asked if the land that Mr. Barrington referred to was privately owned. Mr. Barrington said that it was privately owned. Representative Mason asked Chief Kane who he has had difficulty getting answers from at the State level. Chief Kane said that most of his dealings have been with Mr. Peter Goodwin. Representative Mason suggested that a complete financial analysis be done to determine the cost savings of a combined court in conjunction with increased costs to the towns.

Mr. Barrington said that it appears that there is a great divide within the State departments and they are doing exactly what Chairman Ingram was hoping that they wouldn't do, bid one town against another. From a financial standpoint, why would any town turn down the opportunity to have the district court located in their town. He said that the reality that he has observed over the past 6 months is that the State is not likely to build two courts.

Senator Maggie Hassan stated that from the State's point of view, this is a capital expenditure and they are looking at the fact that they can build one building cheaper than two. From the law enforcement view, she understands that Hampton and Exeter are different than other "super courts" based on the geography. Her instinct from listening to this discussion is that if the towns want to make the case for two courts, they have to do that with dollars and cents. If the cost to the towns from having a consolidated court in Seabrook other less convenient location is large, the towns may want to contribute towards the building of the separate courts. Senator Hassan said that the State may ask "what is it worth to you" and the town's need to be able to make a proposal soon that will show the savings down the road.

Representative Stella Scamman said that she has heard some things that she feels are important. She feels that the objective should be the most efficient system for the courts and for the 14 towns involved and suggested that the Board look at the geography of the 14 towns and find the center to determine what land may be available that would provide easy access for as many towns as possible. Representative Scamman said that with the growth in the area, it may be important to have two courts within one building. She suggested that it may be appropriate to get input from the judges as they would have a good feeling for the number of court rooms that should be available.

Representative Douglas Scamman said that one of the salient things he heard was if the State bought the Superior Court everyone would have been happy. His feeling is that if there was a location near the intersection of the four towns, a building could be built large enough for a combined district. He said that if nothing is done within the time frame given, Hampton and Exeter will end up with nothing at all because the people in Concord want something efficient that will save money. He offered to help the Board in any way that he can.

Representative Rogers Johnson said that he was at the meeting last year and what impressed him was the concerns raised about the level of overcrowding, security concerns and expected growth of the two district courts. He said that a building should be designed to anticipate the growth. Understanding that the State is already spending money for two courts, he said the question is what the increase in costs would be to build one new building that would accommodate the needs of the 14 towns. Chief Kane said that the overcrowding and security concerns are still valid and the number of cases going through a combined court will be incredible.

Mr. Pace said that the State has all the power in this situation and if the towns wait two years, the State will do what they want. He urged the Boards to work together and with the State to get what the town's want.

Mr. Ingram asked that the Board of Selectmen determine what is important to the towns. Mr. Dean said that Exeter has done some research on land that is available in Exeter, along Epping Road which may or may not be convenient for Hampton. He asked what the towns are facing with Seabrook's offer. Mr. Barrington said that he knows that a 2004 Town Meeting vote Seabrook authorized the donation of 14 acres of land by the greyhound park to the State to build a courthouse. There have been discussions about Seabrook building the court, but he was not sure of the financial terms that have been offered. Mr. Ingram said that there are several public interests involved and each town has their own financial concerns, but the case has to be made for the public interest of the 14 towns that are to be served.

Mrs. Bridle-Russell said that she does not mind preparing a case for the combined court, but she does not want to waste the time if Seabrook has already made a proposal that the State wants to go forward with. She said that this may be a fight that is not worth fighting and the town's need to know if the State is even willing to consider a location other than Seabrook. Attorney Gearreald pointed out that Hampton has offered to donate the site where the court currently is and it has fallen on deaf ears and he feels that the State can just wait it out and proposals from Hampton or Exeter are just not going anywhere. Attorney Gearreald said that Hampton and Exeter have to push together and override what Seabrook is offering in dollar power with support from the legislative delegations. Mr. Ingram said that he agrees that Hampton and Exeter need to know if there is still "a game to be played". Representative Scamman stated he will

look into that. Mr. Barrington said that there is a reason why the courts were located in Hampton and Exeter, it was based on the case loads from those respective towns. Chief Wrenn said that it is important to know if the location Mr. Barrington has proposed is a viable option. Mr. Barrington said that he has spoken to the owner and believes it is. Mr. Moore said that finding out if there is still a game to play is important, but time is of the essence. He added that before the towns change their direction from advocating two courts to one court, the police chiefs need to get back together to determine if they are in agreement. Mr. Moore asked if the two Boards of Selectmen are going write separate letters to the State or a joint letter. Mr. Ingram suggested that as a group Mr. Barrington and Mr. Dean should discuss the options and then the Boards of Selectmen should get back together to prepare a proposal. Mr. Pratt said that he would like to see a consensus of the board members to see what the direction is, adding that he is in favor of a consolidate court.

Mr. Binette said that he would be willing to go with one consolidated court building, geographically located between the two towns, with easy access. Mr. Moore said that he would be in favor of a consolidated court somewhere along the Route 101 corridor. Mr. Eastman stated he would be in favor of one court, near the Stratham Industrial park. Mr. Griffin said that he is in favor of one court, and believes the land is owned by the same person who owns the industrial park. Mrs. Bridle said that one court makes fiscal sense. Mr. Pace said that what the town's want may not be what they are able to get, he suggested the first step is to determine if the door is still open for an alternative location other than Seabrook and then determine if there will be support from the other towns. Mr. Pace said that if the other towns are in agreement, a letter signed by all of the Police Chief's and a similar letter signed by the Boards of Selectmen to the State would be appropriate. Mr. Workman said that he does not believe they will get two separate courts, but if there is the opportunity to fight for one court that is in a convenient location, time is the enemy and there are only 14 months before the deadline. Mr. Workman suggested a meeting again in two months.

Mr. Ingram summarized the results of this meeting in that the State Representatives are going to try and determine if the State is willing to entertain a proposal of a consolidated court in the Hampton/Exeter area. The Chief's of Police are going to discuss the matter with the other towns to see if there is support and the two Town Manager's are going to work together to come up with some data and proposals for the Boards to consider. The Board's agreed to meet together again in approximately six weeks. Attorney Gearreald suggested that members may want to visit the Dover District Court, noting that there are some design problems with the building.

Mrs. Bridle asked that Mr. Barrington notify Hampton's Representatives so that they can work on this as well and be included in the next meeting.

Chairman Ingram closed the meeting closed at 8:30 PM.

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Chairman

